IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2701 of 2005

Between:

P. Aruna W/o. Gopi,
F.P. Shop Dealer, Musalipedu Village, Yerpedu Mandal,
Chittoor District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Tirupati, Chittoor District.
2 The Mandal Revenue Officer, Yerpedu Mandal, Chittoor District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not supplying the essential commodities to the petitioner's F.P. Shop of Musalipedu Village, Yerpedu Mandal, Chittoor District for the Month of February, 2005 as illegal, arbitrary and against the principles of natural justice and contrary to the provisions of A.P. State Public Distribution System (Control) Order, 2001 and consequently direct the respondents to supply the essential commodities to the petitioner's F.P. Shop as usual and as such other order or orders in the interests of justice.

Counsel for the Petitioner:MR.V.SUDHAKAR REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following :

ORDER:

Petitioner is the dealer of a fair price shop of Musalipedu Village, Yerpedu Mandal, chittoor District. Her grievance is that though she has remitted the cost of the essential commodities and though her authorization is in force, the respondents are not releasing the essential commodities.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The very purpose of appointing a fair price shop dealer is to enable him to distribute the essential commodities. A dealer is entitled to receive the essential commodities, so long as the authorization is in force. It is only when the authorization is suspended or cancelled, that the dealer cannot be supplied with the essential commodities. Petitioner asserts that the authorisation is neither suspended nor cancelled.

In that view of the matter, the writ petition is disposed of directing that the respondents shall supply the essential commodities to the petitioner, as long as the authorization in her favour is in force. No order as to costs.

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L.NARASIMHA REDDY, J

Dated : 16.02.2005

Note: Furnish copy

in two days

(B/o)

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To

1 The Revenue Divisional Officer, Tirupati, Chittoor District.
2 The Mandal Revenue Officer, Yerpedu Mandal, Chittoor District.

3 2 CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad. (OUT)

4 2CD copies.